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August 5, 2019

Sent via email: 58117-45714052@requests.muckrock.com

Dan Rubins
Muck Rock News
DEPT MR 58117
411A Highland Ave
Somerville, MA 02144-2516

RE: PUBLIC RECORDS ACT REQUEST

Dear Mr. Rubins:

As you are aware from prior correspondence, the County of Stanislaus (County) is in receipt of your California Public Records Act (PRA) request received on June 27, 2019. We previously extended time. Due to unforeseen circumstances, specifically, key personnel being unexpectedly unavailable, we are corresponding with you now.

We incorporate by reference your PRA of June 27, 2019, and our response to your request is as follows:

Item #1. "Executed Contracts"

Please be advised that the records you requested that are responsive to this request are kept electronically. Please also note that pursuant to California Government Code section 6253.9(b) the "requester shall bear the cost" of searching for and reproducing these types of electronic records. This includes, but is not limited to, the cost to construct, program, compile, and/or extract any potentially responsive records within the meaning of this section. Despite your request for a fee waiver, that fee will not be waived.

Notwithstanding the preceding, I have been advised that there are approximately 450 new "MOUs" or contracts every year. That number does not include existing "MOUs" or contracts that are amended. Accordingly, please also note that in addition, and without limitation, some of the records containing the information you requested are also exempt from disclosure as such a time consuming, overly burdensome, and costly review which your request would compel the County to undertake, of a voluminous amount of records, which "compels the production of a huge volume of material" makes the public interest of nondisclosure outweigh the public interest of disclosure. Moreover, "...under the PRA, a governmental agency is only obliged to disclose public records that can be located with reasonable effort and cannot be subjected to "limitless" disclosure obligation." Said exemption is squarely within the meaning of California Government Code

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section 6255 and the holding in the cases of *American Civil Liberties Union Foundation v. Deukmejian* (1982) 32 Cal 3d 440, *California First Amendment Coalition v. Superior Court* (1998) 67 Cal. App. 4th 159, and *Bertoli v. City of Sebastopol* (2015) 233 Cal. App. 4th 353.

Accordingly, your request for records in regard to Item #1 is denied.

Item #2. "Contract Templates"

The County also objects to your requests in Item 2 as such records are exempt from disclosure. Such records are exempt from disclosure pursuant to California Government Code section 6254 (a) and (k) and California Evidence Code section 954 and as a result, will not be disclosed.

Item #3 "General Policies and procedures..."

You will find those responsive records attached to this email.

Item #4 "...process narratives..."

Please be advised that the Department has no responsive records with regard to this request.

This concludes your PRA.

Sincerely,

THOMAS E. BOZE
COUNTY COUNSEL

By: _____


Robert J. Taro
Assistant County Counsel

RJT/jw

cc: B. Diemer